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5 Attorney for Defendant STEPHEN BROWN
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7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION
11

12 *E-FILED - 9/20/06*

13 UNITED STATES OF AMERICA,
14 Plaintiff,
15

Case No. CR 05-00734-RMW

16 v.

STIPULATION AND ORDER TO
CONTINUE SENTENCING

17 STEPHEN BROWN,
18 Defendant.
19

20 _____ /
21 IT IS HEREBY STIPULATED between the parties that defendant's
22 sentencing hearing now set for October 10, 2006, at 9:00 a.m., be vacated and
23 reset to November 13, 2006, at 9:00 a.m. This will allow for needed additional
24 time to prepare the Pre-sentence Report.

25 It is so stipulated:

26 Dated: September 14, 2006

/s/ Allen H. Schwartz
Allen H. Schwartz
Attorney for Defendant

27
28 STIP AND ORDER TO CONTINUE SENTENCING

CR 05-00734-RMW

1 It is so stipulated:

2 Dated: September 14, 2006

/s/ Mark L. Krotoski
Mark L. Krotoski
Assistant United States Attorney

4 It is so ordered:

5 Dated: 9/20/06

/s/ Ronald M. Whyte
Hon. Ronald M. Whyte
United States District Judge

8 Copies to be served on:

9 Allen H. Schwartz
10 Attorney at Law
11 111 W. St. John Street, Suite 555
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12 Mark L. Krotoski
13 Assistant United States Attorney
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15 Benjamin Flores
16 United States Probation Officer
17 280 So. First Street, Suite 106
San Jose, CA 95113

28 STIP AND ORDER TO CONTINUE SENTENCING

CR 05-00734-RMW

DECLARATION RE SIGNATORIES

I, Allen H. Schwartz, hereby declare:

1. I am the filer of the foregoing document entitled STIPULATION AND ORDER TO CONTINUE SENTENCING.

2. I have concurrence of the filing of this document by receipt from the other signatory of his faxed signature to a copy of this document.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration is executed on September 14, 2006 at San Jose, California.

/s/ Allen H. Schwartz
Allen H. Schwartz, Declarant